

## United States Patent and Trademark Office

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/539,309	03/30/2000	Jeng-Jye Shau	SHAU-2k01 8163	
7:	590 01/19/2005		EXAM	INER
Bo-In Lin 13445 Mandoli Drive			HARVEY, DAVID E	
Los Altos Hills	· · ·		ART UNIT	PAPER NUMBER
		2614		
			DATE MAILED: 01/19/200	5

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action    Examiner   DAVID E HARVEY   2614   2614    -The MAILING DATE of this communication appears on the cover sheet with the correspondence address THE REPLY FILED 2D December 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper replication of final rejection under 37 CFR 1.113 may only be either. (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee), or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.    PERIOD FOR REPLY (check either a) or b)    The period for reply expires 5 months from the maling date of this Advisory Action, or (2) the date set forth in the final rejection. The period for reply expires on. (1) the maling date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no evert, however, will be abattory period for reply expires and so the final rejection. This DOX WHEN THE RIST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 708.07(f).  Extransions of time may be obtained under 37 CFR 1.136(a). The date in an Wild Main and the corresponding amount of the final rejection. This OX MONTHS OF THE FINAL REJECTION. See MPEP 708.07(f).  Extransions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension from the soft of the option of the final rejection. The proposed of elementing the penid of extension and the corresponding amount of the final rejection. The proposed of elementing the penidor did extension and second of the final rejection, even if timely filed the proposed of the final rejection, even if timely filed the proposed amendment(s) will not be entered because:  (a) Expression of Appeal was filed on		Application No.	Applicant(s)				
Examiner DAVID E HARVEY  -The MAILING DATE of this communication appears on the cover sheet with the correspondence address - THE REPLY FILED 20 December 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandomment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Motice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.  PERIOD FOR REPLY (check either a) or b)  The period for reply expires 5 months from the mailing date of the final rejection.  The period for reply expires 5 months from the mailing date of the final rejection on the final rejection of the reply expires 5 months from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS THE TIESD WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 708.07(1).  The period for reply expires 5 months from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS THE TIESD WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 708.07(1).  The period of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee under 37 CFR 1.176(a) is circulated from: (1) the expiration date of the shortened statutory period for reply originally set in the final original fee under 37 CFR 1.176(a).  A Notice of Appeal was filed on							
DAVID E HARVEY	Advisory Action		<del></del>				
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b)	<u> </u>						
1.  ☐ A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  2.  ☐ The proposed amendment(s) will not be entered because:  (a)  ☐ they raise new issues that would require further consideration and/or search (see NOTE below);  (b)  ☐ they raise the issue of new matter (see Note below);  (c)  ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d)  ☐ they present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: see atachment.  3. ☐ Applicant's reply has overcome the following rejection(s):  4. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  5. ☐ The a ☐ affidavit, b ☐ exhibit, or c ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because:  6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) withdrawn from consideration:  8. ☐ The drawing correction filed on is a) ☐ approved or b) ☐ disapproved by the Examiner.  9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s)	b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if						
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Claim(s) rejected: Claim(s) withdrawn from consideration:  8.  The drawing correction filed on is a) approved or b) disapproved by the Examiner.  9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)	Claim(s) allowed:						
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10. Other:	9. Note the attached Information Disclosure Statemen	t(s)( PTO-1449) Paper No(s)					
	10. Other:						

DAVID E HARVEY Primary Examiner Art Unit: 2614 1. The examiner notes the following:

- A) Amending the claims to include the limitation that the "signal" is inserted into a "displayable" portion of the video signal raises new issues that would require further search and/or consideration; and
- B) At first glance, the amendment does not appear to avoid the prior art of record because the VBI, while not normally displayed, is in fact "displayable"; e.g. if/when the picture is shifted down vertically on the display device.
- 2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID E HARVEY whose telephone number is (703) 305-4365. The examiner can normally be reached on M-F from 6am to 3pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached on (703)305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval

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Art Unit: 2614

(PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAVID E HARVEY
Primary Examiner
Art Unit 2614